## **AMENDMENT**

Please amend the application without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents as follows.

## In the Claims

1. (Previously presented) A compound of formula I (tubulysin):

## Formula I

wherein R, R<sup>1</sup>, R<sup>4</sup>, R<sup>5</sup>, R<sup>6</sup>, R<sup>7</sup>, R<sup>8</sup>, R<sup>9</sup>, R<sup>10</sup>, R<sup>11</sup>, S, T, U, V, W, X, Y and Z have the following meanings:

 $R = OR^1$ 

 $R^1 = alkyl \text{ or aryl}$ 

S = H

U = H

 $T = H \text{ or } OR^4$ 

 $R^4 = H$ , alkyl, aryl,  $COR^5$ ,  $P(O)(OR^6)_2$  or  $SO_3R^6$ 

 $R^5$  = alkyl, alkenyl, or aryl

 $R^6 = H$ , alkyl or a metal ion

 $V = OR^7$ 

 $R^7 = COR^8$ 

 $R^8$  = alkyl, alkenyl or aryl

W = H

X = H, alkyl, alkenyl or  $CH_2OR^9$ 

 $R^9 = H$ , alkyl, alkenyl, aryl or  $COR^{10}$ 

 $R^{10}$  = alkyl, alkenyl, or aryl

Y = free electron pair

R<sup>11</sup>= alkyl, CF<sub>3</sub> or aryl and/or

 $Z=CH_3$  or  $COR^{11}$ .

2. (Previously presented) The compound according to claim 1, wherein  $R, R^1, R^4, R^5, R^8, R^9, R^{10}$  and/or  $R^{11}$  = unsubstituted or substituted phenyl,

 $R^5 = C_{1-4}$ alkyl or  $C_{2-6}$ alkenyl

 $R^5$  and/or  $X = C_{2-4}$ alkenyl

R<sup>6</sup> = an alkali metal ion or an alkaline earth metal ion

 $R^8$  and/or  $R^9 = C_{2-4}$ alkenyl and/or

 $R^{10} = C_{2-6}$ alkenyl.

- 3-67. (Cancelled)
- 68. (Previously presented) The compound according to claim 1, wherein alkyl is branched, unbranched or cyclic  $C_{1-20}$ alkyl.
- 69. (Previously presented) The compound according to claim 1, wherein alkenyl is branched, unbranched or cyclic  $C_{2-20}$  alkenyl.
- 70. (Previously presented) The compound according to claim 1, wherein aryl is phenyl, naphthyl and biphenylyl.
  - 71. (Cancelled)
- 72. (Previously presented) The compound according to claim 1, wherein alkyl, alkenyl, and aryl are unsubstituted or substituted.
- 73. (Previously presented) The compound according to claim 2, wherein R,  $R^1$ ,  $R^4$ ,  $R^5$ ,  $R^8$ ,  $R^9$ ,  $R^{10}$  and/or  $R^{11} = C_{1-4}$  alkyl-substituted phenyl.

- 74. (Previously presented) The compound according to claim 2, wherein  $R^6$  = an Na ion
- 75. (Previously presented) The compound according to claim 2, wherein  $R^{10} = C_2$ .

  4alkenyl.
- 76. (Previously presented) The compound according to claim 68, wherein the alkyl is cyclic  $C_{1-7}$ alkyl or  $C_{1-8}$ alkyl.
- 77. (Previously presented) The compound according to claim 76, wherein the alkyl is cyclic  $C_{1-4}$ alkyl.
- 78. (Previously presented) The compound according to claim 77, wherein the alkyl is selected from the group consisting of methyl, ethyl, propyl, isopropyl, n-butyl, isobutyl, secbutyl, tert-butyl, and cycloalkyl having from 3 to 8 carbon atoms in the ring.
- 79. (Previously presented) The compound according to claim 69, wherein the alkenyl is  $C_{2-7}$ alkenyl or  $C_{2-6}$ alkenyl.
- 80. (Previously presented) The compound according to claim 79, wherein the alkenyl is C<sub>2.4</sub>alkenyl.
- 81. (Previously presented) The compound according to claim 80, wherein the alkenyl is selected from the group consisting of vinyl, allyl propen-1-yl, propen-2-yl, but-1-en-1-yl, but-1-en-2-yl, but-1-en-3-yl, but-1-en-4-yl, but-2-en-1-yl, but-2-en-2-yl, 2methyl-propen-1-yl, 2-methyl-propen-3-yl, and cycloalkenyl having from 3 to 8 carbon atoms in the ring and the number of double bonds in the alkenyl groups being from 1 to 3.

82. (Currently Amended) The compound according to claim 72, wherein the alkyl, alkenyl, and aryl and heteroaryl carry, in any position, from 1 to 3 substituents from the group formed by C<sub>1-3</sub>alkyl, C<sub>1-3</sub>alkoxy, hydroxy, amino (NH<sub>2</sub>) and nitro (NO<sub>2</sub>)